

SENATE BILL No. 100

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-9-2-47.7; IC 31-13-4.

Synopsis: Protecting parental rights. Specifies that the liberty of parents to direct the upbringing, education, and care of their child is a fundamental right. Prohibits a governmental entity from infringing on that right without demonstrating that the governmental entity's governmental interest as applied to the person is of the highest order and not otherwise served. Establishes the application of these provisions to laws, rules, and ordinances.

Effective: July 1, 2014.

Kruse

January 7, 2014, read first time and referred to Committee on Public Policy.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 100

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 31-9-2-47.7 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2014]: **Sec. 47.7. "Governmental entity", for purposes of**
- 4 **IC 31-13-4, refers to any of the following:**
- 5 (1) **The state.**
- 6 (2) **An agency of the state.**
- 7 (3) **A political subdivision (as defined in IC 36-1-2-13).**
- 8 (4) **An agency of a political subdivision.**
- 9 SECTION 2. IC 31-13-4 IS ADDED TO THE INDIANA CODE AS
- 10 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
- 11 1, 2014]:
- 12 **Chapter 4. Parental Rights Protected**
- 13 **Sec. 1. This chapter applies to any state or local law, rule, or**
- 14 **ordinance and the implementation of that law, rule, or ordinance,**
- 15 **whether:**
- 16 (1) **statutory or otherwise; and**



1 (2) enacted, adopted, or effective before, on, or after July 1,
2 2014.
3 Sec. 2. The liberty of a parent to direct the upbringing,
4 education, and care of the parent's child is a fundamental right.
5 Sec. 3. A governmental entity may not infringe on the right
6 described under section 2 of this chapter without demonstrating
7 that the governmental entity's governmental interest as applied to
8 the person is of the highest order and not otherwise served.
9 Sec. 4. A statute enacted after July 1, 2014, is subject to this
10 chapter unless the statute explicitly excludes the application by
11 reference to this chapter.

